

Attorney Docket No. KEB-32033

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**PATENT**  
**RECEIVED**  
**CENTRAL FAX CENTER**

Applicant : KEBERLEIN, Gerald  
 Serial No. : 10/613,184  
 Filing Date : July 3, 2003  
 For : Wedged Tissue Container  
 Confirmation No. : 4946  
 Group Art Unit : 3653  
 Examiner : Bollinger, David H.

NOV 29 2004

**CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10**

I hereby certify that, on the date shown below, this correspondence is being:

**Mailing**

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450,  
 Alexandria, VA 22313-1450  
 37 CFR 1.8(a)

with sufficient postage as first class mail     As "Express Mail Post Office to Addressee" Mailing Label No.  
 37 CFR 1.10

transmitted by facsimile to Fax No.: 1-703-372-9296 addressed to Examiner Bollinger at the Patent and Trademark Office.

Date: November 29, 2004

*Ron Story*

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

**AMENDMENT****INTRODUCTORY COMMENTS**

This amendment is made in response to an Office Action mailed July 2, 2004. Please enter the amendment for the above-identified application.

Amendments to the Claims begins on page 2 of this paper.

Remarks begin on page 3 of this paper.

01/10/2005 MANTHONY 00000022 232053 .10613184

01 FC:2252 430.00 DA

MKE#53886.1

PAGE 10 \* RCVD AT 11/28/2004 11:24:21 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2 \* DMS:8729336 \* CSD:414 224 5834 \* DURATION (mm:ss):01:00

 04/10/2005 11:24:21 AM [Eastern Standard Time]  
 04/10/2005 MANTHONY 00000022 232053 .10613184  
 01 FC:2252 430.00 DA

USSN 10/613,184

KEBERLEIN, Gerald

REMARKSAllowable Subject Matter

Applicant appreciates the Examiner's indication that Claims 11-15 are allowable.

Rejections under 35 USC §103(a)

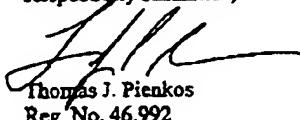
The Examiner rejected Claims 1-6 and 16-21 under 35 USC §103(a) as being unpatentable over Taub in view of Buttery et al. Claims 1-6 and 16-21 have been cancelled, and thus, their rejection is moot.

The Examiner also rejected Claims 7-10 under 35 USC §103(a) as being unpatentable over Martin in view of Caldwell et al. Claims 7-10 have been cancelled, and thus, their rejection is moot.

Conclusion

A two month extension fee is believed to be due for this filing of this response. Such fee should be charged to Deposit Account 23-2053. No other fee or petition is believed due and any petition due should be considered to be provisionally made. The Examiner is invited to call the Applicant's attorney at (414) 978-5539 in the event any further action is deemed necessary.

Respectfully submitted,

  
Thomas J. Pienkos  
Reg. No. 46,992

Date: November 29, 2004

P.O. ADDRESS:  
WHYTE HIRSCHBOECK DUDEK S.C.  
555 East Wells Street, Suite 1900  
Milwaukee, Wisconsin 53202  
(414) 273-2100  
Customer No. 022202